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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,334	07/17/2003	Xing-Zhi Lin	LINX3001/BEU	8653
23364 7590 04/17/2009 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314-1176				
EXAMINER				
NGUYEN, KIMHUNG T				
ART UNIT		PAPER NUMBER		
2629				
MAIL DATE		DELIVERY MODE		
04/17/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/620,334

**Applicant(s)**

LIN, XING-ZHI

**Examiner**

KIMNHUNG NGUYEN

**Art Unit**

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/4/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_
- 7) ☐ Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

1. In view of the Pre-Appeal Brief Conference request filed on 2/4/09, PROSECUTION IS HEREBY REOPENED. A new ground rejection is set forth below.
2. This application has been examined. The claims 1-6 and 8-9 are pending. The examination results are as following.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Philyaw (US 7,089,291).

Regarding claim 1, Trant discloses in fig. 1, a wireless input device body (see handheld data collection terminal (10), comprising a wireless input device body (wireless body 10) having an opening (recess received 13) that forms an opening of said wireless input device (10); and a power-supply module (battery pack 12, see col. 6, lines 53-65) arranged to carry at least one battery (see col. 10, lines 1-19; wherein the power-supply module is arranged to be inserted together with said battery into said opening of said wireless input device in order to supply power from said battery to said wireless input device (see the battery pack 12 will have to be moved in the opposite, or insertion, in order to introduce its portion 14 into the receiving recess 13 of the main housing (see col. 6, lines 59-64), said power-supply module being arranged to be drawn out from the opening together with the battery for replacement of the battery (see col. 6,

lines 38-47), said power-supply module (12) having a cover (cover door 112) whose outline matches an outline of the body so as to form part of a housing of the wireless input device when the power-supply module is inserted into said opening (see col. 3, lines 65-67, and col. 17, lines 2-9)).

As to claim 2, Trant et al. disclose further, wherein the body has a circuit board (because body 11 comprising battery pack, in its position in which its terminals are in electrical contact with the contact arrangements 15' and 16', and at least a metal plate (15', 16') extending from the circuit board for electrically contacting the battery (see (see col. 11, lines 49-53).

Regarding claim 3, Trant et al. discloses further, the power-supply module (12) has an carrier for containing the battery (105, 107, fig. 10); each of side of he carrier having flange, and correspondingly each side of the opening having a groove for receiving flange (see fig. 10, see col. 16, lines 29-35)

Regarding claim 4, Trant et al. discloses further the power supply module (12) is fixed to the body b a fixing device (fig. 1).

Regarding claim 5, Trant et al. discloses further the fixing device includes a hook (hook shaped 53, fig. 1) located on the body, and a recess (13, fig. 1) correspondingly located on the power-supplying module (12).

Regarding claim 9, Philywa discloses further wherein the power-supply module (12) has a carrier for containing the battery (105, 107, fig. 10, 11), and wherein the battery is replaceable by on the carrier by drawing out the power-supply module from the opening (fig. 10) as if pulling out a drawer.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trant et al. (US 6,002,236) in view of Kramer et al. (US 2004/0259638).

As to claims 6 and 8, Trant et al. disclose the wireless input device comprising a wireless input device body having an opening that forms an opening of said wireless input device; however, Trant et al. do not specifically disclose wherein the wireless input device is a computer mouse or a game controller. Kramer et al. disclose in fig. 1, a typical game controller enhanced by the mouse-type (see 0036), and also includes a wired or wireless connectivity (see [0022]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the typical game controller enhanced by the computer mouse as taught by Kramer et al into the wireless input device of Trant et al. for producing the claimed invention because this would improve optimize or maximum the control response best suited for that video game software (see [0042]).

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-6 and 8-9 filed 1/24/08 have been considered but are moot in view of the new ground(s) of rejection.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMNHUNG NGUYEN whose telephone number is (571)272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kimnhung Nguyen/

Examiner, Art Unit 2629